

EXHIBIT B

Larry Blair - 2/7/2019

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<p style="text-align: center;">IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA</p> <p>RYSTA LEONA SUSMAN, both) Case No. 8:18-cv-00127 individually and as Legal) Guardian of SHANE ALLEN) LOVELAND, et al.,) Plaintiffs,) vs.) THE GOODYEAR TIRE & RUBBER) COMPANY,) Defendant.)</p> <p>Videotaped deposition of LARRY BLAIR taken on behalf of the Defendant at the Omaha Correctional Center, 2323 Avenue J, Omaha, Nebraska, on February 7, 2019, commencing at 10:02 a.m.</p>	<p style="text-align: center;">I N D E X</p> <p>1 APPEARANCES 2 2 STIPULATIONS 4 3 REPORTER'S CERTIFICATE 119 4 WITNESS: 5 Larry Blair 6 Direct Examination by Mr. Bott 6 7 Cross-Examination by Mr. Farrar 102 8 Redirect Examination by Mr. Bott 107 9 10 EXHIBITS: Marked 11 (NONE) 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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<p style="text-align: center;">A P P E A R A N C E S</p> <p>1 For the Plaintiffs: MR. KYLE W. FARRAR 2 KASTER, LYNCH, FARRAR & 3 BALL, LLP 4 1010 Lamar Street 5 Suite 1600 6 Houston, TX 77002 7 713-221-8300 8 kyle@fbtrial.com 9 10 For the Defendant: MR. EDWARD S. BOTT, JR. 11 GREENSFELDER, HEMKER & 12 GALE, P.C. 13 10 South Broadway 14 Suite 2000 15 St. Louis, MO 63102 16 314-241-9090 17 esb@greensfelder.com 18 Videographer: Mr. Roger Speakman 19 20 21 22 23 24 25</p>	<p style="text-align: center;">S T I P U L A T I O N S</p> <p>1 It is stipulated and agreed by and between the 2 parties hereto: 3 1. That the deposition of LARRY BLAIR may be 4 taken before Marcy Bengé, RMR, General Notary Public, 5 at the time and place set forth on the title page 6 hereof. 7 2. That the deposition is taken pursuant to 8 notice. 9 3. That the original deposition will be 10 delivered to Mr. Edward S. Bott, Attorney for 11 Defendant. 12 4. That the deposition is taken pursuant to 13 the Federal Rules of Civil Procedure. 14 5. That the testimony of the witness may be 15 transcribed outside the presence of the witness. 16 6. That the signature of the witness to the 17 transcribed copy of the deposition is waived. 18 19 20 21 22 23 24 25</p>

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<p style="text-align: right;">37</p> <p>1 Nebraska -- 2 A. Yeah. 3 Q. -- driver's license, after this 4 accident at some point? 5 A. Yeah. 6 Q. Okay. When did you get that back? 7 A. 2017 is when I got it back. 8 Q. I'm sorry. When? 9 A. 2017. I don't remember the month. 10 Q. Your CDL license, though, you've 11 never tried to get that back? 12 A. No. 13 Q. All right. You got your State of 14 Nebraska license back because you went, you took 15 the test, and you passed the test? 16 A. Yeah. 17 Q. You said earlier they took it away 18 from you because you were having some issues with 19 your -- your memory and your brain? 20 A. Yeah, my brain. 21 Q. Okay. And I just want to make sure, 22 you've -- you said a moment ago that you remember 23 the accident -- 24 A. Yeah. 25 Q. -- right? So we've got no issues</p>	<p style="text-align: right;">39</p> <p>1 Q. -- or a seasonal employee? 2 A. Full-time. 3 Q. And then your job was a laborer? 4 A. Yes. 5 Q. And what would you do as a laborer? 6 A. Carry forms. Set up -- set up forms 7 for the pour. Carry up, clean -- clean up. Stack 8 the stuff into -- help put stuff away. 9 Q. You knew Shane Loveland? 10 A. Yes. Shane Loveland was my best 11 friend. 12 Q. How long had you and Shane been 13 working together? 14 A. We'd been working together for off 15 and on since I started there, since Shane started 16 there. 17 Q. Do you remember when he started? It 18 was after you, I know, but -- 19 A. After -- had to be when he was living 20 in Fairview. 21 Q. Did you guys know each other before 22 he started working at Dandee? 23 A. No. 24 Q. When you say you worked off and on 25 together, I take it you weren't always on the same</p>
<p style="text-align: right;">38</p> <p>1 with you understanding my questions or -- or -- 2 A. No. 3 Q. And you're going to be able to tell 4 me about the accident, because you remember things 5 now -- 6 A. Yeah. 7 Q. -- correct? All right. Let me ask 8 you a little bit about your employment at Dandee. 9 Do you recall when you -- well, you told me. You 10 started there in March of 2013? 11 A. Yes. 12 Q. You worked there up until the 13 accident in May of 2015? 14 A. No. 2015 I was on workmen's comp. I 15 went back -- I went back to work in 2016. 16 Q. Right. 17 A. I was off workmen's comp. I went 18 back there and worked. 19 Q. I understand. 20 A. And then I got fired. 21 Q. From March of 2013 up until May 1, 22 2015 -- 23 A. Yeah. 24 Q. -- were you a full-time employee -- 25 A. Yes.</p>	<p style="text-align: right;">40</p> <p>1 crew, then? 2 A. Shane was on John's crew. 3 Q. John who? 4 A. I don't know his last name. He was 5 the super- -- he was the supervisor for a crew 6 until he got fired. But he was on John's crew, 7 and I was on Chris's crew. And every time we'd 8 get a job, John -- John would come over and 9 Loveland was with him. So me and Loveland used to 10 sit there and work all together and joke around 11 all together and stuff like that. 12 Then after a while and that, he 13 started coming over to my house and me and him was 14 joking around. Him and his girlfriend would come 15 over when I was living in -- me and him and my 16 other -- my partner, Hopkins, were working 17 together and we all sat there and joked around. 18 Have a couple of beers, joked around. 19 Q. Were you living at the time near 20 Dandee or -- 21 A. Yeah. I was living on 17 -- 17th -- 22 1722 17th Street. 23 Q. Was that close to Dandee? 24 A. Yes. 25 Q. So then how about Jacob Summers? Did</p>

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<p style="text-align: right;">41</p> <p>1 you know him very well?</p> <p>2 A. Yeah. When he started working at</p> <p>3 Dandee. And he was my ride partner. Really not</p> <p>4 my ride partner, but he ran -- he worked for my</p> <p>5 crew, and we all worked together.</p> <p>6 Q. Did you have your crew?</p> <p>7 A. No. I had -- I call -- it's -- it</p> <p>8 was Chris Lee's crew. It's just when he --</p> <p>9 when -- I call it my crew because it's been a long</p> <p>10 time. But mostly it was Chris Lee's crew, and he</p> <p>11 worked with us. So everything we did, Jake did.</p> <p>12 Q. So on May 1, 2015, it was you, Shane</p> <p>13 Loveland, and Jake Summers --</p> <p>14 A. Yeah.</p> <p>15 Q. -- together? Had you guys been</p> <p>16 working on that crew together for a period of</p> <p>17 time?</p> <p>18 A. Me and -- me and Shane -- Shane --</p> <p>19 Jake was. Shane was -- after John got fired,</p> <p>20 Chris took Shane in on -- on our crew, and we was</p> <p>21 working together. And it was me driving. It was</p> <p>22 Chris in the middle. And Shane in the passenger</p> <p>23 seat.</p> <p>24 Q. Is that how it was typically or --</p> <p>25 A. Yes.</p>	<p style="text-align: right;">43</p> <p>1 safety. Me and Shane reported it. That truck</p> <p>2 wasn't safety. Them tires -- everything on that</p> <p>3 truck wasn't safety. He just threw that truck</p> <p>4 together.</p> <p>5 Q. By "that truck," you're talking about</p> <p>6 the 2003 Chevrolet Suburban that was involved in</p> <p>7 the accident?</p> <p>8 A. Yeah.</p> <p>9 Q. Okay. And when you say "he," you're</p> <p>10 talking about --</p> <p>11 A. Dan Buser.</p> <p>12 Q. -- Dan Buser?</p> <p>13 A. Yeah.</p> <p>14 Q. What do you mean --</p> <p>15 A. He bought the cheapest tires. He</p> <p>16 bought cheap everything on that car, on that</p> <p>17 truck. Me and Shane fixed that truck so it</p> <p>18 would -- would drive just right.</p> <p>19 Q. Tell me about that.</p> <p>20 A. The truck -- okay. If we had a</p> <p>21 little problem with the truck, me and Shane worked</p> <p>22 on it and got the tires, got everything fixed on</p> <p>23 it and everything else. We had other tires on it</p> <p>24 before he bought new tires on it. Because he</p> <p>25 bought new tires for each truck and everything</p>
<p style="text-align: right;">42</p> <p>1 Q. Okay. And that's how it was on the</p> <p>2 day of the accident?</p> <p>3 A. Yes. Because Shane was -- been in</p> <p>4 the crew longer, so he got seniority. He rode --</p> <p>5 he rode -- he rode over by the driver's side --</p> <p>6 the passenger's door, and the newbie always rode</p> <p>7 in the middle. I should know. I had to do that a</p> <p>8 couple times.</p> <p>9 Q. Yeah. The -- we've seen a safety</p> <p>10 manual from Dandee Construction. Are you familiar</p> <p>11 with what I'm talking about?</p> <p>12 A. Oh, yeah.</p> <p>13 Q. Did you have a copy of that when you</p> <p>14 started --</p> <p>15 A. Oh, yeah.</p> <p>16 Q. -- your work there? Okay.</p> <p>17 A. Oh, you're bringing up a place I</p> <p>18 really don't like anymore.</p> <p>19 Q. Did they kind of hammer home on you</p> <p>20 about safety? Or --</p> <p>21 A. They didn't hammer home on safety.</p> <p>22 We hammered them for safety.</p> <p>23 Q. Okay. Tell me about that.</p> <p>24 A. That company wasn't safety. We -- I</p> <p>25 reported that for three years. That truck wasn't</p>	<p style="text-align: right;">44</p> <p>1 else. We --</p> <p>2 Q. Now, can I stop you? Because do you</p> <p>3 know if they were new new tires or were they new</p> <p>4 used tires?</p> <p>5 A. No. Dan bought new tires -- new</p> <p>6 tires.</p> <p>7 Q. Okay.</p> <p>8 A. He don't went -- he never went that</p> <p>9 cheap. But what it was is, me and Shane -- Shane</p> <p>10 fixed -- worked on the car, changed the oil.</p> <p>11 Because in the wintertime, we changed the oil. So</p> <p>12 sometimes we change it after a certain miles. We</p> <p>13 have to change the oil and everything else, brake</p> <p>14 fluid and everything. We had it all running just</p> <p>15 fine.</p> <p>16 We went home, come back, most of the</p> <p>17 trucks had new tires. I don't know -- I think</p> <p>18 it's down the street. He takes them to this</p> <p>19 place, and they gave him new tires.</p> <p>20 Q. Have you heard about Kearney Towing &</p> <p>21 Service? Is that the place you're talking about?</p> <p>22 A. Yeah. I think that's -- I heard of</p> <p>23 that place.</p> <p>24 Q. There's another one.</p> <p>25 A. I know there's another one, too. But</p>

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<p style="text-align: right;">65</p> <p>1 that day?</p> <p>2 A. Yeah.</p> <p>3 Q. Okay. So I assume that you had a</p> <p>4 meeting this morning on May 1, and you were told</p> <p>5 that --</p> <p>6 A. We're going to Hastings.</p> <p>7 Q. All right. What were you going to do</p> <p>8 in Hastings?</p> <p>9 A. We was going to do a stamp job.</p> <p>10 Stamp the sidewalk.</p> <p>11 Q. Stamp sidewalk?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And where is Hastings from</p> <p>14 Kearney?</p> <p>15 A. Forty-eight miles away. About 48,</p> <p>16 45 -- 45, 48 miles away. Depends where you want</p> <p>17 to go, what part of Hastings.</p> <p>18 Q. Is that east or what?</p> <p>19 A. Yeah. I think it's -- you go down.</p> <p>20 You drive down -- drive through Kearney. You go a</p> <p>21 little bit right, you go down, you can go over</p> <p>22 there, you can take a -- take a right to Axtell or</p> <p>23 take a left and you go to -- you go to Minden, and</p> <p>24 Hastings is the next town over.</p> <p>25 Q. I guess I was wondering, because</p>	<p style="text-align: right;">67</p> <p>1 they need. We was the labor that gave them -- get</p> <p>2 the tools done.</p> <p>3 And when we're doing a stamp job,</p> <p>4 everybody in there have to have certain parts,</p> <p>5 certain things of the crew to do. Because if one</p> <p>6 person messes up, the stamp work is screwed up,</p> <p>7 and that's \$20,000 that's messed up. So we have a</p> <p>8 certain situation to do, and that's what we did.</p> <p>9 All five follow Chris along. When</p> <p>10 Chris drives, I follow him. I don't go -- I</p> <p>11 didn't go by myself. I went and followed Chris.</p> <p>12 It was Chris -- it was Chris, our crew. It was --</p> <p>13 who else was there? No. He was over there.</p> <p>14 Yeah. We was going to help another person. I</p> <p>15 just -- Mike. We was going to go help Mike.</p> <p>16 Q. So were you the lead car, or were you</p> <p>17 following somebody or --</p> <p>18 A. I was following Chris.</p> <p>19 Q. All right. You were driving?</p> <p>20 A. Yes.</p> <p>21 Q. You would have Jacob Summers in the</p> <p>22 middle?</p> <p>23 A. Yep.</p> <p>24 Q. Shane on the passenger side?</p> <p>25 A. Yep.</p>
<p style="text-align: right;">66</p> <p>1 somebody said that you guys were on one job first</p> <p>2 thing in the morning and then you were on your way</p> <p>3 to a second job to help out another crew. Am I</p> <p>4 wrong on that? How -- how did that -- you don't</p> <p>5 remember it that way?</p> <p>6 A. I don't remember it that way.</p> <p>7 Q. So let me -- yeah. Because the</p> <p>8 accident happened around 7:00 in the morning?</p> <p>9 A. Yeah.</p> <p>10 Q. Did -- was anyone else going to go</p> <p>11 work this Hastings job with you, or was it just</p> <p>12 you three?</p> <p>13 A. No, no, no, no, no. That was -- that</p> <p>14 was me -- it was my crew, the truck I was in: me,</p> <p>15 Shane, Jake. Then you have Chris. Chris was</p> <p>16 driving the truck up there. If one -- one crew</p> <p>17 goes, one of us go, we all go.</p> <p>18 Q. All right.</p> <p>19 A. Because we're the stamp crew and</p> <p>20 everything else and everything, we was doing a</p> <p>21 stamp job, and then Chris was the main stamper.</p> <p>22 Chris, Solo, and Don were the three main stamp</p> <p>23 people. Me, Shane, and Jake were the people that</p> <p>24 gave them the -- gave them the stamps, gave them</p> <p>25 the stamper, gave them the -- gave them everything</p>	<p style="text-align: right;">68</p> <p>1 Q. Were you wearing your seatbelt?</p> <p>2 A. No.</p> <p>3 Q. Do you know whether Shane Loveland</p> <p>4 was wearing --</p> <p>5 A. No.</p> <p>6 Q. -- his seatbelt? Do you know, or you</p> <p>7 don't know?</p> <p>8 A. Yeah, I know. He wasn't wearing it.</p> <p>9 Q. He wasn't wearing it?</p> <p>10 A. No.</p> <p>11 Q. And was Jacob wearing his seatbelt?</p> <p>12 A. No.</p> <p>13 Q. All right. Back to the truck, we've</p> <p>14 talked a little bit about this, but I just want to</p> <p>15 make sure. Are you aware of any significant</p> <p>16 maintenance done to that truck? And by that I</p> <p>17 mean work on the struts or on the suspension or on</p> <p>18 the -- the -- the brakes or the steering system.</p> <p>19 Are you aware of anything like that?</p> <p>20 A. (Witness shook head.)</p> <p>21 Q. Is that no?</p> <p>22 A. No.</p> <p>23 Q. All right.</p> <p>24 A. When anything done with that truck --</p> <p>25 if anything goes with that truck, they tell us.</p>

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C E R T I F I C A T E

I, Marcy Benge, RMR, General Notary Public, duly commissioned, qualified, and acting under a general notarial commission within and for the State of Nebraska, do hereby certify that:

LARRY BLAIR

was by me first duly sworn to tell the truth, the whole truth, and nothing but the truth; that the foregoing deposition was taken by me at the time and place herein specified and in accordance with the within stipulations; that I am not counsel, attorney, or relative of either party or otherwise interested in the event of this suit.

IN TESTIMONY WHEREOF, I have hereunto set my hand officially and attached my notarial seal at Lincoln, Nebraska, this 18th day of February, 2019.

